

**BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

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**BOARD MEETING MINUTES**

Thursday, December 16 and Friday, December 17, 1999

Board Office - Third Floor Conference Room

Sacramento, California

Thursday, December 16, 1999

Board Members Present: George Shambeck (President), Kathy Hoffman (Vice-President), Gregg Brandow, David Chen, Vincent DiTomaso, James Foley, Andrew Hopwood, Steve Lazarian, Marilyn Lyon, Myrna Powell, Quang Vu.

(Ms. Hoffman arrived at 11:30 a.m.)

Board Members Absent: Ted Fairfield, Millicent Safran.

Board Staff Present: Cindi Christenson (Executive Officer), Gary Duke (Legal Counsel), Susan Ruff (Deputy Attorney General), Kevin Schunke (Special Assistant to the Executive Officer), Nancy Eissler (Attorney General Liaison Analyst), Jacqueline Barclay (Executive Analyst).

Public Present: Lee Adler, Center for Public Interest Law; Carrie Clark; Charles Greenlaw, CELSOC; Richard Markuson, CELSOC; Joyce Hirano, CalTrans; Julie D'Angelo Fellmeth, Center for Public Interest Law; Rich Ray, CLSA; Marti Kramer, CSPE; Franklin Sterling; Phillip W. Rosendahl; Lionel J. Sudds, PEEG

1. Roll Call to Establish a Quorum
The Meeting was called to order by President Shambeck at 9:15 a.m.
Roll call was taken and a quorum was established.

2. Public Comment
President Shambeck asked for public comment.

Chuck Greenlaw, Structural Engineer, addressed the Board regarding his concerns with the structural examination development process in 1981.

He stated that he could solve the problem on the examination using one of any of the three divisions of statics. Mr Greenlaw stated the problem on the examination

had a snag in it, and it was agreed that the problem needed to be changed. He also stated that the chairman would take care of correcting the flaw in the question. The examination was given, and at that time, they all graded their own problems. Mr. Greenlaw stated that the same “retaining wall” problem had been revised, in a way to make it less clear and more obtuse. The problem had been made worse. The person who had wrote the problem in its original form had been grading it in its original form, and not to the form that it appeared on the examination. Furthermore, he was grading it, strictly to his own favored method of solution and not to other alternatives that were equally valid. Mr. Greenlaw stated he went to the chairman and protested. The chairman indicated he would take care of the problem. The next batches of examinations were graded and the person was still grading incorrectly. Again, the chairman indicated he would take care of the problem. Finally, all of the examinations were graded and the chairman said, “I brought that up at the state committee, and I thought they had it fixed, but it came out different, and if the examinees don’t think they got the credit they deserve, they should appeal it.”

Mr. Greenlaw stated he never forgot that episode and he never got over his disgust at the lack of integrity, and lack of concern for those examinees that turned in good solutions and were told that their method of solution was incorrect.

Mr. Greenlaw closed with saying that was the end of his story and the Board could make of it what they wish.

3. Closed Session
The Board went into closed session.
4. Open session to announce results of closed session.
Ms. Christenson announced the results of closed session.

The Board adopted the Proposed Stipulation in the Matter of Bruce J. Manning.

The Board adopted the Stipulation in the Matter of Richard T. Pretzinger, Jr.

The Board adopted the Proposed Stipulation in the Matter of Francis F. Wu.

The Board adopted the Default Decision and Order in the Matter of Gordon A. Levitt.

The Board non-adopted the Proposed Decision in the Matter of Albert J. Cramer.

The Board discussed the lawsuits as noted.

The Board discussed the California Structural Examination and the NCEES Structural Examination.

5. Approval of Consent Items

MOTION: Mr. Lazarian/Mr. DiTomaso moved to approve the consent items, given the following changes to made to the Minutes of the November 4 and 5, 1999 Board Meeting.

1. Page 16 of the December agenda - Remove Susan Ruff's name.
2. Page 19 of the December agenda, item b., third paragraph, and third sentence. Sentence will read as follows:

“The Committee is trying to eliminate several standing committees, and in their place special committees and task forces will replace them as needed.”

VOTE: 10-0, motion carried

6. Approval of Delinquent Reinstatements.

MOTION: Mr. Hopwood/Ms. Lyon moved to approve the 3 and 5-year reinstating engineers for licensure as follows:

Poulin, Thomas R.

Reinstate the delinquent license once the applicant takes and passes the laws and rules examination.

LaHouti, Mahmoud M.

Reinstate the delinquent license once the applicant pays the current and delinquent renewal fees and takes and passes the laws and rules examination.

VOTE: 10-0, motion carried

7. Sunset and Related Legislative Action

Mr. Shambeck gave an overview of the issues related to the Joint Legislative Sunset Review Committee Report.

Ms. Powell commented that the review was a positive experience. Although, because of time constraints we were not able to finish our responses to some of the questions asked by the Sunset Review Committee at the hearing. Now we can incorporate any public and/or committee concerns and build on some of the information we have already gathered.

a. Cost Recovery

Ms. Christenson stated that Board could make a decision on the amount of the increase once we have more information.

Mr. DiTomaso stated that the Board has made several cuts to the budget. Mr. DiTomaso requests that we indicate these cuts to our budget when we ask for a fee increase of our application and renewal fees.

Ms. Lyon asked what the largest expenses were to the Board. Ms. Christenson stated that administration of all the examinations is the largest expense to the Board. This is due to the many disciplines of examinations given. Most of examinations are developed by NCEES, however, a contractor to the Board develops six of these examinations. Even if the numbers of examinees are low, the cost of the examination is still the same due to up front examination development costs. For example, our last contract for the Geotechnical examination was for \$250,000. However, only about 100 candidates take the examination.

Mr. Foley stated we need to get someone to sponsor legislation to increase applicant and renewal fees.

Ms. Christenson stated legislators will be approached to assist the Board. Also, it would be helpful if Board members would ask legislators to assist us.

Mr. Foley pointed out that the Board will go into a deficit in three years.

b. Policy Resolutions

Mr. Duke stated that the eleven Policy Resolutions listed on Page 31 should be withdrawn. The Board can enact regulations to cover most of these Policy Resolutions. However, three of the resolutions, 96-09, 98-01, and 98-04, may not be able to be addressed through regulations because the Board may not have the statutory authority.

96-09 - The Board is directing the county surveyor to only check for certain areas and charge fees for certain areas. However, the county may already have other authorities to assess fees.

98-01 and 98-04 - Address the public utility underground trench designs. The statutes prohibit the Board from further defining the practice of Civil engineering by regulation. An argument can be made that 98-01 and 98-04 further define civil engineering.

Ms. Ruff stated that other than the three Mr. Duke spoke of, the remaining nine Policy Resolutions could be addressed through the Regulatory or Declaratory Decision process.

MOTION: Mr. Hopwood/Ms. Powell moved to withdraw the Board Policy Resolutions listed on Page 31 of the agenda.

VOTE: 10-0, motion carried.

Mr. Shambeck stated that the costs relative to the County Surveyors offices and record of survey issue need statutory change and some kind of direction. Mr. Duke stated the Board needs to determine if that is an issue the Board wants to handle.

Ms. Lyon stated that she does not believe the Board should be involved with financial issues with respect to the Counties.

Ms. Powell questioned if the Board needed to direct staff on what to do now since we have withdrawn all of the BPRs.

Mr. Duke suggested that the Board ask staff to prioritize the BPR's prior to any action. Mr. Lazarian stated that we need to determine if we want to write regulations or not. Ms. Lyon requested a history of each prior BPR that indicates how the BPR came to be.

Staff will prioritize and provide the Board with a history of each BPR prior to any action.

- c. Utilization of NCEES Structural II Examination with an 8 hour State Specific Examination.

Mr. Brandow reported on the concept of combining the NCEES Structural II examination and a state 8-hour structural engineering (SE) examination.

Mr. Brandow stated that currently PMES is responsible for writing the California 16-hour SE examination and based on the input from examinees, they are happy with the examination. However, the examination is very expensive to develop and grade. In the past, all the western states utilized this examination. Currently, California is the only state using only a state specific structural examination. With the exception of Washington, who has developed a state specific SE examination along with the NCEES Structural examination, all of the other western states now use the NCEES Structural II examination.

In addition to the cost of our examination, there is likely to be some problems with respect to reciprocity with other states for structural engineers.

The proposal is to create a new format for the SE examination, utilizing the NCEES Structural II examination and an 8-hour state specific examination on seismic design and critical structures, such as schools and hospitals, with a focus on aspects of those designs.

The SE TAC believes that the NCEES examination does need improvement. Also, if adopted, the examinations could be passed in parts, similar to the civil examination.

Mr. Vu questioned whether or not the Board wants to develop a timeline for implementing this change. Ms. Powell questioned if we needed leeway with respect to implementing the new SE examination, since we would be asking NCEES to improve their SE examination.

MOTION: Mr. Hopwood/Mr. Vu moved to proceed to using the 8-hour NCEES SE II examination in combination with an 8-hour state specific examination with an implementation date of October 2002.

VOTE: 10-0, motion carried.

d. Professional Land Surveying Examination

Mr. Shambeck summarized the staff recommendation of the JLSRC.

Mr. Shambeck gave an overview of the difference between Land Surveying in California and other states.

The Board discussed at length the issue of using a combined NCEES Land Surveying examination and a California state-specific examination.

Mr. Shambeck indicated that the Board could use the NCEES Land Surveying examination, however, the Board would still be required to have a California state-specific examination for land surveying. NCEES provides recommendations as to what should be included in the state specific examination.

MOTION: Mr. Hopwood/Mr. Lazarian moved to hire an outside consultant to study and compare the NCEES Land Surveying examination to the California Land Surveying examination, to determine if both examinations should be used. The consultant would look at candidate background, educational system, and candidate experience and try to define why the current pass rates are low.

Mr. Shambeck indicated that a study would be helpful to determine what use the NCEES examination would have with respect to Land surveying in California.

The Board discussed the potential issues that may affect the low pass rates of California PLS candidates. These included educational requirements and years of land surveying experience.

Mr. Shambeck indicated that several states require more years experience in land surveying prior to taking a Land Surveying examination.

Ms. Christenson stated that it would take approximately one year for an outside consultant to evaluate the examinations.

VOTE: 10-0, Motion carried

MOTION: Mr. Vu/Mr. Hopwood moved to implement use of the NCEES LS examination with a state specific PLS examination for the April 2001 examination.

VOTE: 10-0, motion carried.

The Board directed Board staff to begin a Request for a Proposal to do the following:

Gather data regarding the candidate pool, potential candidates, consumers, and the practice in general; compare the CA PLS examination with the NCEES PLS examination; and provide a report to the Board and Legislature discussing the findings and make recommendations, if necessary.

e. Procurement of Independent Consultant to Conduct Study of the Title Acts

Mr. Shambeck gave an overview of JLSRC recommendation to the Board.

Mr. Lazarian questioned the need for a consultant to analyze the individual title acts. He indicated that the Board has previously studied this issue. The Board tried to eliminate some of the title acts, but it was not successful with the legislature.

Ms. Christenson indicated that the Board conducted hearings on this issue, but nothing definitive with respect to eliminating the title acts was decided.

Mr. Markuson, of CELSOC, commented that there is criticism that there has not been a third party review of the need to eliminate the title acts.

Mr. Lazarian stated that the Board should get a legal opinion that says we cannot enforce the title acts.

Ms. D'Angelo, of CPIL, remarked that to her knowledge this Board meeting is the first she has heard of the Board considering the elimination of the title acts. She indicated that the Board's last version of the PE Act Rewrite did eliminate the title acts. However, the final version indicated that the Board should continue them for the time being.

Mr. Lazarian indicated that the Board did decide to eliminate the title acts. We had decided to transition some of them to other disciplines and eliminate others. However, we could not take away existing licenses of candidates that we transitioned or eliminated. When the issue came before the legislature we could not move forward with the recommendation.

Ms. Christenson expressed the Board's need to take the lead on the issue of eliminating the title acts.

Ms. D'Angelo stated that the title acts do not protect the public and are not enforceable. Most agencies use certification programs instead of titles. A certification is simply another name for a title act. It protects the use of the title, not any particular area of practice. Most agencies that have certifications programs have certifications as supplementary to a base license. There is no public protection with issuing title acts. These title acts were demanded by the industry, not from the public. Ms. DeAngelo further stated that an independent firm could perform an objective review of the need for title acts to determine the level of regulation, if necessary. If a determination is made that any one of the title acts does need regulation, then maybe that title needs to be defined as a practice.

Mr. Lazarian stated that the legislature wants the Board to be the party to make the determination on whether any of the title acts should be regulated. The Board then made the decision and it did not make it through the legislature.

Mr. Foley stated that this is the reason we need an independent study of this issue.

Ms. Powell stated that the Board should stand by a decision to eliminate the title acts. If the decision is to eliminate the title acts, the title act industry should be the party to indicate they should exist.

MOTION: Mr. Lazarian/Mr. Hopwood moved to hire a consultant to evaluate, the title act branches and recommend to the Board and the Legislature, if appropriate, whether the title acts should be converted to practice acts, eliminated entirely, or possible regulated by another governmental entity.

VOTE: 10-0, motion carried

Ms. Hoffman arrived at 11:30 a.m.

f. Supplemental Practice by Professional Engineers

Mr. Shambeck gave an overview of the issues regarding the supplemental practice of Professional Engineers.

Mr. Foley stated that a similar study as with the title acts needs to be performed for the Mechanical and Electrical definitions.

Mr. Vu stated that over the past 25 years engineering has changed drastically. He does not believe that anyone can define all of the overlaps. There will always be turf battles between disciplines.

Mr. DiTomaso stated that everyone agreed at the Sunset hearing that overlap was necessary. Mr. Foley stated that this issue should be addressed simultaneously with the title acts issue. Mr. Lazarian stated that this issue is a turf issue, not a consumer issue.

MOTION: Mr. Lazarian/Ms. Powell moved to table this issue and discuss when it is more appropriate. The Board will communicate to JLSRC that the Board will wait for the title act issue to be resolved before taking up the issue of supplemental practice.

VOTE: 11-0, motion carried

g. Definitions of Electrical and Mechanical Engineering

Mr. Shambeck gave an overview of the issue regarding defining mechanical and electrical engineering.

Ms. Christenson stated that they could take existing definitions as a “spot bill” and hold hearings on the proposed definitions of the TAC’s.

MOTION: Mr. Vu/Mr. Chen moved to approve the Board sponsoring legislation to move the definitions of mechanical and electrical engineering from regulation to statutes and hold public hearings and forums to discuss the draft definitions of the TAC’s. The new definitions will be finalized by the end of March 2000.

VOTE: 11-0. Motion carried

h. Definitions of Negligence and Incompetence and Unprofessional Conduct Code of Professional Conduct

Ms. Eissler gave a brief overview of this issue.

Ms. Ruff stated that she does not agree with the language, recommended by the JLSRC staff for the definitions of “negligence” and “incompetence” but does agree the definitions should be included in statute or regulation.

MOTION: Ms. Powell/Mr. Hopwood moved to direct Board staff to begin developing definitions of incompetence and negligence to be placed in statute or regulation. However, it is not the Board’s intention to have definitions in this year’s bills.

Mr. Vu suggested that the Board should look at other states language with respect to the definitions of incompetence and negligence. Mr. Lazarian suggested that the Board should look at California case law to see what judges have defined.

Ms. Ruff stated that she is willing to write definitions of incompetence and negligence.

Mr. Shambeck stated that Ms. Ruff, Mr. Duke, and Ms. Eissler will work on the definitions and the Enforcement Committee will review and discuss the proposals.

VOTE: 11-0 motion carried

MOTION: Mr. Lazarian/Mr. Hopwood moved to pursue legislation to obtain the needed statutory authority to adopt by regulation a code of Professional Conduct.

VOTE: 11-0 motion carried

i. Written Contract Requirement

Mr. Shambeck gave a brief summary of this issue.

Board staff believes that requiring professional engineers and land surveyors to use written contracts could provide much-needed protection for both the professionals and the consumers. Staff recommends that the Board proceed with legislation, based on the language the Architects Practice Act and the suggestion by the Center for Public Interest Law.

Mr. DiTomaso commented that this requirement should have limitations or exemptions.

Ms. Ruff stated there could be exemptions for “small” contracts, small in terms of dollar amounts.

Ms. Powell stated that what is important with this requirement is consumer protection.

Mr. Foley stated that he supported staff’s recommendation.

MOTION: Mr. Hopwood/Mr. DiTomaso move to pursue legislation to require licensees to use written contracts. These contracts should include the license number of the licensee, names of parties involved in the contract, services performed, dollar amounts; and the language proposed should be based on the language used by the Architects Board.

VOTE: 11-0 motion carried

j. Enforcement “Clean-up” Language from PE Rewrite

Ms. Eissler briefly summarized this item. Ms. Eissler stated that the recommended changes could be done in an Omnibus Bill.

Ms. Eissler stated that the JLSRC asked if there was anything in the proposed PE Rewrite that the Board did not implement. The “clean-up” language was identified. Ms. Eissler stated the proposed changes are mainly non-substantive, would affect both Professional Engineers Act and the Professional Land Surveyors Act, and would affect enforcement-related issues.

MOTION: Mr. Lazarian/Mr. Hopwood moved to pursue “clean-up” language with respect to the PE Rewrite.

VOTE: 11-0 motion carried

10. Retired Status Regulatory Package (taken out of order)

Mr. Shambeck reported on the new legislation, which authorizes the Board to issue a retired license to engineers and land surveyors.

MOTION: Mr. DiTomaso/Ms. Powell moved to direct staff to begin the rulemaking process to address the fee for a retired license.

VOTE: 11-0 motion carried

8. Proposed Amendments to Board Rule 442 regarding Examination Subversion and Irregularities.

Ms. Eissler briefly summarized this item.

At it's November 4, 1999, meeting, the Enforcement Committee recommended to staff that modifications be made to the language for Board Rule 442. Ms. Eissler explained the changes made were based on the Committee's recommendations.

Ms. Powell recommended that paragraph (a) be rewritten as follows:

- (a) Examination subversion is the use of any means to alter the results of an examination to cause the examination results to inaccurately represent the competency of an examinee. Examination subversion includes, but is not limited to:

Ms. Powell recommended that paragraph (a) subsection (10) be written as follows:

- (10) Use by an examinee of any written material, audio material, video material, digital material, or any other mechanism not specifically authorized during an examination for the purposes of assisting an examinee in the examination.

Ms. Eissler explained the effect of paragraph (b) subsection (6) is to not allow a candidate who subverted the examination to take subsequent examinations for a period of years verses examination cycles.

Mr. Foley recommended that paragraph (b) subsection (6) be rewritten as follows:

- (6) The examinee may not be allowed to sit for an examination for up to three years.

Mr. Lazarian recommended that paragraph (e) be rewritten as follows:

- (e) Removal from or voidance of one part of a multiple-part examination taken during a single examination administration shall constitute removal from or voidance of all other parts of the multiple-part examination.

MOTION: Mr. Hopwood/Mr. Lazarian moved to direct Board staff to begin the rulemaking process for Board Rule 442, after the above changes have been made.

VOTE: 10-0 motion carried (Mr. Chen was out of the room during the vote).

9. Broad Based Experience Requirements for Professional Land Surveyor Applicants Regulatory Package

Mr. Duke stated that the Board had concerns regarding Board Rule 424 where requirements for a civil engineer performing land surveying work differed from that of a land surveyor. The new language in Board Rule 425 now takes care of this discrepancy.

MOTION: Mr. Hopwood/Mr. Foley moved to direct staff to begin the rulemaking process with respect to Board Rules 424 and 425.

VOTE: 11-0 motion carried

The meeting recessed at 3:20 p.m. Remaining items 11-20 will be discussed on December 17, 1999.

Friday, December 17, 1999

Board Members Present: George Shambeck (President), Kathy Hoffman (Vice-President), Gregg Brandow, Vincent DiTomaso, Andrew

Hopwood, Steve Lazarian, Marilyn Lyon, Myrna Powell, Quang Vu.

Mr. Foley arrived at 9:22 a.m.

Board Members Absent: David Chen, Ted Fairfield, and Millicent Safran.

Board Staff Present: Cindi Christenson (Executive Officer), Gary Duke (Legal Counsel), Susan Ruff (Liaison Deputy Attorney General), Kevin Schunke (Special Assistant to the Executive Officer), Nancy Eissler (Attorney General Liaison Analyst), Jacqueline Barclay (Executive Analyst).

Public Present: See Attached

1. Roll Call to Establish a Quorum
The Meeting was reconvened and called to order by President Shambeck at 9:10 a.m.
Roll call was taken and a quorum was established.

2. Public Comment

Mr. Franklin Sterling commented. He provided to the Board a binder that explained his purpose for appearing before the Board. The binder became a part of the public record of the Board Meeting.

Mr. Sterling explained that he was a Control Systems Engineer in California and had recently applied for a Control Systems license in the state of Ohio. The Ohio Board had denied Mr. Sterling's application based on reciprocity because Mr. Sterling had waived the Fundamentals of Engineering (EIT) examination in California. Ohio does not allow for a waiver of this examination. Mr. Sterling petitioned the California Board on the following issues:

1. The California Board takes under consideration the actions of the Ohio Board relating to the denial of his reciprocity application and formulates a reasoned response.
2. The California Board takes official notice of the Ohio Board actions and communicates its position to the Ohio Board with respect to Mr. Sterling's license.
3. That engineers licensed in the state of Ohio must take discipline specific practice and principles examination before they are allowed to be licensed in California.

Mr. Duke related to Mr. Sterling that while the Board could not take action at the Board meeting, they could take his issue up for consideration. The Board will speak with Ted Fairfield, Vice-President of NCEES, a California Board member

who was absent from the Board meeting, and may prepare a response to the Ohio Board.

11. Comity and Temporary Authorization Applications

MOTION: Mr. Vu/Mr. Hopwood moved to adopt comity applicants for licensure listed on pages 67 through 72.

VOTE: 10-0 motion carried

Request for Temporary Authorization of a Civil Engineering and Land Surveying License for Phillip W. Rosendahl.

Mr. Rosendahl was present and submitted for approval by the Board applications for temporary authorizations in civil engineering and land surveying.

Mr. Vu, Mr. Brandow, Mr. Foley, and Ms. Hoffman asked Mr. Rosendahl several questions with respect to his competency in civil engineering and land surveying, and his specific purpose in applying for temporary authorizations.

MOTION: Mr. Lazarian/Mr. Hopwood moved to grant a temporary authorization to Mr. Rosendahl for a Civil engineering license for 60 days, with an extension of 60 days, and to grant a temporary authorization to Mr. Rosendahl for a Land Surveyor license for 60 days, dates to be determined at a later time.

VOTE: 7-2 motion carried. Ms. Hoffman and Ms. Powell voted nay. (Mr. Vu was not present during the vote).

12. Board Internet Website Presentation

Ms. Diane Barbosa, the Board's publications editor, presented a demonstration of the Board's website.

Ms. Powell recommended that Ms. Hoffman work with Board staff to enhance and improve the Board's website for consumers, if needed.

13. Traffic Occupational Analysis

Ms. Christenson explained that this item was brought back to the Board because of concerns with the use of the word "design" on Page 105 of the Occupational Analysis. Some changes were made in this area.

MOTION: Mr. Hopwood/Ms. Lyon moved to adopt the traffic occupational analysis as rewritten.

VOTE: 10-0, Motion carried.

14. Technical Advisory Committee Reports

- a. Land Surveying
Mr. Shambeck reported that at the December 3, 1999 LS TAC meeting, the final draft for the GIS Brochure was approved and will next be reviewed by Legal Counsel. The TAC will next look at the definition of "material discrepancies."
- b. Civil/Geotechnical Engineering
No meeting to report. Next meeting scheduled for February 1, 2000.
- c. Electrical Engineering
Mr. DiTomaso reported on the December 9, 1999 EE TAC meeting. Mr. DiTomaso reported that the committee discussed drafting an article regarding seismic activities and its relation to electrical engineering. He also discussed the magnitude of recent earthquakes with respect to outages and the lack of continuing education for PEs in California. Mr. DiTomaso also reported that the TAC discussed the definition of "public utility." Mr. Duke stated that he would provide to the EE TAC the definition of "public utility." The definition of public utility is not in the Board's laws, but is in other laws.

Mr. Vu requested that the minutes reflect that the Board has requested the EE TAC to review the definition of "public utility" and report back to the Board their findings regarding vagueness and problems with the common law definition.

MOTION: Mr. Hopwood/Mr. Lazarian to approve Mr. Randy Howard and Mr. John Maloney to be re-appointed to the EE TAC for their second two year term.

VOTE: 10-0, motion carried.

- d. Mechanical Engineering
Mr. Vu reported on the November 19, 1999 ME TAC meeting. Mr. Vu reported that the TAC has two new members. The TAC is looking at adding a "preamble clause", to Board Rule 404. Mr. Vu reported that the TAC was working on developing a technical article regarding seismic concerns for Mechanical Engineers. This article has been submitted to the Board's Publications Editor.
- e. Structural Engineering
Mr. Brandow reported on the December 15, 1999 TAC meeting. The TAC discussed the IBC for 2002, interview requirements for structural applicants, and an article that will soon be published that will discuss "fixed structures."

15. Liaison Reports

- a. ABET - no report given

- b. NCEES
Mr. Vu reported that he would be attending meetings of the electronic task force with NCEES.
 - c. Technical and Professional Societies - no report given
16. President's Report
Mr. Shambeck indicated that information was reported on during previous items of the Board Meeting.
17. Executive Officer's Report
Ms. Christenson reported that Tiffany Criswell will be moving to the Licensing Unit and will work as an evaluator of PE and LS applications.
Ms. Celina Calderone was recently hired and will take over the responsibilities of the Executive Office Assistant. Ms. Christenson also reported that Rosie Esparza, the Office Services Supervisor II, is returning to the Department of Rehabilitation. Ms. Jackie Noble will be retiring in early January 2000.
- Ms. Christenson reported on the current fiscal status of the Board. Ms. Eissler reported on the Enforcement rulemaking proposals. Specifically, the Office of Administrative Law approved Board Rule 424.5. We have requested a January 1, 2000 effective date.
18. Approval of Board Travel – no action needed
19. Other Items Not Requiring Board Action
a. Next Board Meeting: February 24 and 25, Sheraton Newport Beach.
20. Adjourn

MOTION: Mr. Hopwood/Mr. Lazarian moved to adjourn at 11:47 a.m.

VOTE: 10-0, motion carried